

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

MAR 01 2013

JULIA C. DUMLEY, CLERK  
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KENNETH BARBOUR,	)	CASE NO. 7:13CV00023
	)	
Plaintiff,	)	
	)	FINAL ORDER
v.	)	
	)	
ARLINGTON VIRGINIA	)	
COMMONWEALTH ATTORNEY,	)	By: James C. Turk
	)	Senior United States District Judge
Defendant.	)	

In accordance with the memorandum opinion entered this day, it is hereby

**ADJUDGED AND ORDERED**

that plaintiff's motion to proceed in forma pauperis is **DENIED**, and the complaint is **DISMISSED without prejudice**, pursuant to 28 U.S.C. § 1915(g); it is **CERTIFIED** that an appeal of this order would not be taken in good faith, pursuant to 28 U.S.C. § 1915(a)(3); and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 1<sup>st</sup> day of March, 2013.

  
\_\_\_\_\_  
Senior United States District Judge